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BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Application Number: 10/082,745
Filing Date: February 21, 2002
Appellant(s): POSH ET AL.

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J. B. Kraft
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 2/22/2008 appealing from the Office action

mailed 5/30/2007.

1)   Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2)   Related Appeals and Interferences

A statement identifying the related appeals and interferences which will directly

affect or be directly affected by or having a bearing on the decision in the

pending appeal is contained in the brief.

(3)   Status of Claims

The statement of the status of the claims contained in the brief is correct.

(4)   Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection

contained in the brief is correct.

(5)   Summary of Claimed Subject Matter

The summary of invention contained in the brief is correct.

(6)   Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection is correct.

(7)   Claims Appendix

The copy of the appeal claims contained in the Appendix to the brief is correct.

(8)   Evidence Relied Upon

The following is the evidence relied upon in the rejection of claims under appeal:

-       Liu et al.   U.S. 5706449   Jan. 6, 1998

-       Higashio   U.S. 5900869   May 4, 1999

(9)   Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or
in public use or on sale in this country, more than one year prior to the date of application for
patent in the United States.

Claims 1, 2, 4-7, 9, 10, 12-15, and 17-23 are rejected under 35 U.S.C. 102(b) as

being anticipated by **Liu et al.** (U.S. 5706449, issued 01/06/1998).

As to claim 9:

Liu teaches a method of user-interactive document editing on a display [col. 2,

lines 54-56 → a graphical user interface controls …manipulate lists of

heterogeneous objects] comprising:

- defining of a first alphanumeric segment of displayed data in a displayed

  text document having continuous line of text [col. 7, lines 10-40 and Figs.

  17-19 and associated text → the column whose heading was clicked

  …the user then select the desired column and highlights the heading of

  the column];

- defining a second alphanumeric segment of displayed data in the

  displayed text document [col. 7, lines 10-40 and Figs. 17-19 and

  associated text → the column whose heading was clicked …the user then

  select the desired column and highlights the heading of the column];

- enabling a user to select to directly swap the first segment with the second

  segment [col. 7, lines 10-17 → swaps the two columns]; and

- swapping the positions of the segments of data with each other in a single

  step independently of separately identifying a new location for each of the

  one and other segments other than defining each segment responsive to a

user selection to swap [col. 7, lines 10-40 → enables the user to swap

columns in the list control 46. In order to swap columns, the user selects

"Swap" in the pop-up 64. The list control 46 then displays a list of columns

with which the column whose heading was clicked can be swapped. The

user then selects the desired column. After receiving the user's selection,

the list control 46 swaps the two columns].

As to claim 10:

Liu teaches highlighting the first and second segments prior to swapping the

positions of the segments [col.7, lines 10-17 → clicking the heading of a column

and selecting the desired column].

As to claim 12:

Liu teaches the alphanumeric text in each of the swapped segment is a phrase

[col.3, lines 27-35 → text in columns, which each of columns could be interpreted

as a phrase].

As to claim 13:

Liu teaches the alphanumeric text in each of the swapped segments is a

sentence [col.3, lines 27-35 →text in columns to be swapped, which could be

interpreted as a sentence].

As to claim 14:

Liu teaches the alphanumeric text in each of the swapped segments is a

paragraph [col.3, lines 27-35 → text in columns to be swapped, which could be

interpreted as a sentence].

As to claim 15:

Liu teaches the alphanumeric text in each of the swapped segments is at least

one page in length [col.3, lines 27-35 → text in columns to be swapped, which

could be interpreted as a page in length].

As to claims 1-2 and 4-7:

Note the rejection of Claims 9 -10 and 12-15 above. Claims 1-2 and 4-7 are the

same as Claims 9-10 and 12-15, except Claims 1-2 and 4-7 are system Claims

and Claims 9-10 and 12-15 are method Claims.

As to claims 17-18 and 20-23:

Note the rejection of claims 9-10 and 12-15 above. Claims 17-18 and 20-23 are

the same as claims 9-10 and 12-15, except claims 17-18 and 20-23 are

computer readable medium claims and claims 1-9 are method claims.

Claims 8, 16, and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable

over **Liu** in view of **Higashio** (US 5900869, issued 05/04/1999).

As to claims 8, 16 and 24:

Higashio teaches swapping images *(col.3, lines 43-67and fig.1).*

It would have been obvious to a person of ordinary skill in the art at the time the

invention was made to modify Liu with Higashio with because it would have

provided a control that enables a user to manipulate lists in the control, in

particular, lists containing heterogenous objects. The list operations that can be

performed using the list control include: (1) swapping columns, (2) freezing and

unfreezing columns, (3) hiding and showing columns, and (4) finding text in

columns. The swap operation enables the user to swap columns in the list

control.

(10)   Response to Arguments

Beginning on page 7 of the brief, Appellant argues the following issues, which

are accordingly addressed below.

Appellant argues in substance that Liu does not teach swapping two segments of

alphanumeric text in a displayed text document having continuous lines of text

[page 7].

The examiner disagrees.

Liu does teach swapping two segments of alphanumeric text in a displayed text

document having continuous lines of text *"[T]he swap operation enables the user*

to swap columns in the list control 46. In order to swap columns, the user selects

"Swap" in the pop-up 64. The list control 46 then displays a list of columns with

which the column whose heading was clicked can be swapped. The user then

*selects **the desired column**. After receiving the user's selection, the list control*

46 swaps the two columns. FIG. 16 shows the window 44 after columns 56 and

58 have been swapped" [see col.7, lines 10-17]. Any column (48, 50, 52, 54, 56,

and 58) showing on FIG. 14 could be selected as a user's ***desired column.***

Obviously, Liu's system could allow the user to select column 50 (first segment of

alphanumeric text) and column 54 (second segment of alphanumeric text) to be

swapped.

(11)   Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the

Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

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